

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

UNITED STATES OF AMERICA

v.

JAMES WENTWORTH

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Criminal No. 1:21-cr-00070-JAW

PROSECUTION VERSION OF THE OFFENSE

Between about June 5, 2019 and about December 9, 2019, in the district of Maine and elsewhere, the defendant, James Wentworth, knowingly made, and caused to be made, a material false statement and representation as to the character, quality, quantity, and cost of work performed and to be performed, and materials furnished and to be furnished, in connection with the construction of a highway and related project approved by the Secretary of Transportation.

In May of 2019, Wentworth was the project manager for a general contractor on a Maine Department of Transportation (MDOT) bridge contract in Gardner, Maine. The project was funded in part through federal highway funds provided through the Federal Highway Administration and approved by the Secretary of Transportation or the Secretary's designee.

Wentworth received an itemized cost list from a subcontractor, and then falsely inflated the costs on the subcontractor's letterhead. Wentworth used this falsified cost list in preparing a contract modification in which his employer, the general contractor, received a payment of its costs plus an agreed-upon percentage. He forwarded this falsified document to MDOT personnel on about June 5, 2019. The contract was executed using the fraudulent cost amounts on about June 25, 2019. Thereafter, due to Wentworth's false document, the general contractor and MDOT continued to execute billing and payment documents reflecting the inflated prices, continuing until about December 9, 2019. In all, Wentworth's conduct caused more than \$91,000 in overpayment from MDOT to the general contractor.

If this case had proceeded to trial, the government would have produced the email correspondence in which Wentworth received the original subcontractor price list and the email in which he submitted the contract modification proposal to MDOT with the inflated pricelist. The government would have also produced the executed contract, billing and payment correspondence, and documentation from the Department of Transportation showing that the project was funded in part by federal highway funds approved by the Secretary of Transportation or the Secretary's designee. The government would also provide the testimony of Maine DOT employees to whom Mr. Wentworth admitted his conduct and to whom he apologized for said conduct.

Respectfully submitted,

DONALD E. CLARK
Acting United States Attorney

Date: May 24, 2021

BY: /s/ CHRIS RUGE

CHRIS RUGE
Assistant United States Attorney